

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

FERRING PHARMACEUTICALS INC.,)
Plaintiff and)
Counterclaim-Defendant,)
v.) Civil Action No. 13-cv-12553-NMG
BRAINTREE LABORATORIES, INC.,)
Defendant and)
Counterclaim-Plaintiff.)

DECLARATION OF JOSHUA L. SOLOMON

The undersigned Joshua L. Solomon being duly sworn hereby deposes and states as follows:

1. I am a partner with the law firm Pollack Solomon Duffy LLP, counsel to Braintree Laboratories, Inc. in this action. I make this declaration based on my personal knowledge.
2. Attached hereto as Exhibit A is a copy of the front cover of the October 2013 edition of Gastroenterology & Endoscopy News, including an advertisement that was attached to the cover.
3. Attached hereto as Exhibit B is a copy of an advertisement from inside the October 2013 edition of Gastroenterology & Endoscopy News.
4. Attached hereto as Exhibit C is a copy of the front cover of the November 2013 edition of Gastroenterology & Endoscopy News, including an advertisement that was attached to the cover.

5. Attached hereto as Exhibit D is a copy of an advertisement from inside the November 2013 edition of Gastroenterology & Endoscopy News.

SIGNED UNDER PAINS AND PENALTIES OF PERJURY THIS 7TH DAY OF FEBRUARY 2014.

/s/ Joshua L. Solomon
Joshua L. Solomon

Certificate of Service

The undersigned certifies that this document, filed through the ECF system, will be electronically served on counsel who are registered users of ECF on February 7, 2014.

/s/ Joshua L. Solomon